

# **Exhibit 1**



**Transcript of Proceedings had in  
Kathleen Koch v. Vantage Specialty Chemicals,  
Inc.; et al.**

**Taken On:** July 25, 2024

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Kathleen Koch v. Vantage Specialty Chemicals, Inc.; et al.  
Proceedings had on 7/25/2024

Page 1

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

KATHLEEN KOCH,	)	
	)	
Plaintiff,	)	
v.	)	No. 2023 L 686
	)	
VANTAGE SPECIALTY	)	All Consolidated
CHEMICALS, INC.; et al.,	)	Cases
	)	
Defendants.	)	

Report of proceedings had at the hearing in  
the above-entitled cause before the HONORABLE JOHN H.  
EHRLICH, Judge of said Court, at Richard J. Daley  
Center, 50 West Washington Street, Room 2306, Chicago,  
Illinois, commencing at 8:30 a.m. on July 25th, 2024.

Kathleen Koch v. Vantage Specialty Chemicals, Inc.; et al.  
Proceedings had on 7/25/2024

Page 2

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Kathleen Koch v. Vantage Specialty Chemicals, Inc.; et al.  
Proceedings had on 7/25/2024

Page 3

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\* \* \* \* \*

Kathleen Koch v. Vantage Specialty Chemicals, Inc.; et al.  
 Proceedings had on 7/25/2024

Page 24	<p>1 Chris, of course, being so precise, he put it down,          2 but...</p> <p>3 THE COURT: I mean, I know the federal courts are          4 usually very quick with decisions on removal.          5 JUDGE NOLAN: Because they can't wait to get rid of          6 it.</p> <p>7 THE COURT: I didn't know -- And I didn't know if          8 there was actually a deadline that it was imposed on          9 them to --</p> <p>10 MR. BUSHOFSKY: Your Honor, I can probably be more          11 objective than some other people because I feel like          12 Vantage doesn't have much of a dog in this particular          13 fight. They're removed. The federal judge has          14 jurisdiction now. He or she doesn't need to do anything          15 until someone challenges the removal and moves for          16 remand, and that process can take a short period of time          17 by maybe Cook County standards or it could take quite a          18 long time.</p> <p>19 THE COURT: Are you saying we have our own clock          20 here?</p> <p>21 MR. BUSHOFSKY: I don't know. I've only been here          22 for 30 years, and I'm still not sure.</p> <p>23 MR. OLISS: Judge, I think that's right. The          24 removal is effective upon filing of the removal which</p>	Page 26	<p>1 JUDGE NOLAN: Okay.</p> <p>2 MR. CHIMERA: They have been assigned to a number          3 of different judges, so right now --</p> <p>4 JUDGE NOLAN: Oh, it has? Okay.</p> <p>5 MR. CHIMERA: But that may change. It's being          6 sorted out.</p> <p>7 JUDGE NOLAN: Okay.</p> <p>8 MR. HENSLEY: Just going back for a second,          9 Your Honor, on the motions to amend, I mean, we'll start          10 working on those right away, but I think the combination          11 of that with Knobbe -- not to cut this short by any          12 means so we can keep going, but I think we do need to          13 set something for next week in light of the deadlines          14 that we have. We can come back hopefully with some of          15 those motions to amend on file.</p> <p>16 THE COURT: And I canceled my vacation, which I was          17 scheduled to take tomorrow, because of my continuing          18 cold. So we can come back next week. That's not a          19 problem.</p> <p>20 JUDGE NOLAN: Judge, I do have one more thing. I'm          21 sorry.</p> <p>22 THE COURT: Sure. Never be sorry.</p> <p>23 JUDGE NOLAN: So this was an e-mail we got at 8:30          24 last night, and it is regarding third-party subpoena</p>
Page 25	<p>1 deprives this Court of jurisdiction to enter orders          2 until such time as the case is remanded, I believe is          3 where we are.</p> <p>4 THE COURT: Now that you say that, I think that          5 triggers some old brain cells. I think that's correct.</p> <p>6 Well, let's do this. I mean, do we -- Have          7 the defendants provided a list of the removed cases to          8 the plaintiffs?</p> <p>9 MR. HENSLEY: We got, I think, 12 from Isomedix.          10 At least I did. I don't think I was on the service list          11 for PPG. I don't know about my co-counsel in the case.          12 So I think --</p> <p>13 THE COURT: If you could supply those to the          14 plaintiffs, I would appreciate it. I think that will          15 make it easier for them going forward with regard to any          16 motions that they are going to provide.</p> <p>17 MR. CHIMERA: We can provide a list.</p> <p>18 THE COURT: I think that would help.</p> <p>19 JUDGE NOLAN: Is there a -- Are the new cases going          20 to be assigned to the judge who has the first group?          21 Are they considered to be --</p> <p>22 MR. HENSLEY: That's a procedural question.</p> <p>23 MR. CHIMERA: That's a procedural question. I          24 think that's still being sorted out.</p>	Page 27	<p>1 records. It's from the plaintiff. And Mr. Oliss --          2 This everybody got also. And Chris has a suggestion on          3 this also.</p> <p>4 So plaintiff said they need our assistance,          5 that Isomedix has retained a third party to collect          6 Ms. Knobbe's medical records. Isomedix has informed us,          7 meaning the plaintiffs, that it will only make these          8 documents available to plaintiffs if the plaintiffs pay          9 their third-party vendor fees for the documents, and          10 the -- This gentleman can speak for himself, but it --          11 Ms. Schuyler referred to the ESI protocol. It doesn't          12 sound like it's exactly on point, but there might be          13 something in the protocol talking about change -- or          14 what you do with the cost.</p> <p>15 So Chris being -- even in his absence, here is          16 what he would like -- or here is what he would suggest          17 is -- where is that one -- that Isomedix -- okay --          18 we -- Our suggestion is, Isomedix should agree to          19 provide the document -- These are medical records of          20 Ms. Knobbe that they absolutely need. Isomedix should          21 agree to provide the documents under reservation of          22 rights to seek reimbursement of the costs later. If          23 Isomedix will not so agree, then the plaintiff should          24 pay under reservation of rights to seek reimbursement</p>